

## Sexual Assault Terms and Definitions

1. **Sexual assault** refers to intentional sexual contact, characterized by use of force, physical threat or abuse of authority or when the victim does not or cannot consent. Sexual assault includes the following:
  - a. Rape – sexual intercourse by force and without consent
  - b. Nonconsensual (Forcible) sodomy – oral or anal sex by force and without consent
  - c. Indecent assault – any unwanted, inappropriate sexual contact or fondling done with the intent to gratify lust or sexual desires
  - d. Attempts to commit these acts

Sexual assault can occur without regard to gender, spousal relationship, or age of victim.

2. **Consent** shall not be deemed or construed to mean the failure by the victim to offer physical resistance. Consent is not given when a person uses force, threat of force, coercion, or when the victim is asleep, incapacitated, or unconscious.
3. **Victim** is defined as “any person who reports the commission of a sexual assault upon himself or herself, or is identified, based upon the report of another person, or other information, as a person who has been subjected to a sexual offense.”
4. **Alleged perpetrator** is defined as “one who has been accused of committing a crime including any report of a crime to police authorities of a known or unknown person.”
5. **Perpetrator** is defined as “one who has committed a crime;” (i.e., offender, subject).
6. **Case** is a formal investigative file that may contain multiple incidents, offenses, victims, and offenders (i.e., perpetrators).
7. **Founded Case** is a determination made by the CID that a criminal offense has been committed. The determination that a founded offense exists is an investigative decision independent of any judicial opinion or disciplinary action.
8. **Unfounded Case** is a determination made by the CID that a criminal offense did not occur. This determination must be based on demonstrative evidence.
9. **Insufficient Evidence** is a lack of evidence to support a complaint. A finding of insufficient evidence is not a basis for labeling an offense as unfounded.